

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 AGRE-00 CEA-01 CIAE-00
COME-00 DODE-00 FRB-03 H-01 INR-10 INT-05 L-03
LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15
STR-07 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01
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FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 2400

C O N F I D E N T I A L ANKARA 4685

E.O. 11652: GDS

TAGS: ELAB, ETRD, TU

SUBJ: LABOR STANDARDS IN TURKEY

REF: (A) STATE 136706 (DTG 302201Z MAY 78), (B) ANKARA 1608
(DTG 021405Z MAR 78)

1. SUMMARY: INSOFAR AS IS KNOWN, THERE ARE NO ATTEMPTS
IN TURKEY TO APPLY DIFFERENTIAL LABOR STANDARDS IN ORDER TO
FAVOR EXPORT OR IMPORT SUBSTITUTION PRODUCTION. THE TURKISH
CONSTITUTION PROVIDES THE FUNDAMENTAL BASIS FOR THE PROTECTION
OF WORKERS, AND TURKISH LABOR LAW NO 1475 DATED
SEPTEMBER 1, 1971, ESTABLISHES SPECIFIC STANDARDS FOR
EMPLOYMENT CONDITIONS AND EMPLOYMENT CONTRACTS. ENFORCE-
MENT OF THESE STANDARDS IS EFFECTIVELY CARRIED OUT BY LABOR
INSPECTION OFFICERS IN EVERY DISTRICT OF THE COUNTRY WITH THE
BACKING OF SPECIALLY APPOINTED LABOR COURTS. THE TRADE
UNIONS AS A MATTER OF PRIORITY PUBLIC POLICY ACTIVELY
SUPPORT THE ENFORCEMENT OF THESE LABOR STANDARDS FOR
WORKERS (WHETHER THEY BE ORGANIZED OR NOT) AND SEEK
CONTINUOUSLY TO IMPROVE LEGISLATION PROVIDING SOCIAL AND
ECONOMIC PROTECTION FOR ALL SECTORS OF THE SOCIETY.

END SUMMARY

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2. THE CONSTITUTION EFFECTIVELY OUTLAWS ANY FORM OF
SLAVERY, INDENTURED LABOR, OR OTHER FORMS OF FORCED LABOR.
WHEREAS, UNDER THE CONSITUTION IT IS THE RIGHT AND DUTY
OF EVERY INDIVIDUAL TO WORK; ANY INDIVIDUAL MAY FREELY
ACCEPT OR REJECT SPECIFIC JOBS AND NO INDIVIDUAL MAY BE
EMPLOYED AT A JOB THAT DOES NOT SUIT HIS AGE, CAPACITY,

AND SEX.

3. LABOR LAW 1475 REGULATES THE WORKING CONDITIONS AND HOURS FOR CHILDREN 16 YEARS OF AGE AND YOUNGER AND PROHIBITS CERTAIN TYPES OF EMPLOYMENT FOR CHILDREN (SUCH AS UNDERGROUND WORK OR HEAVY OR DANGEROUS WORK). GIVEN THE TURKISH SOCIETY'S SPECIAL CONSIDERATION OF CHILDREN, ANY INFRINGEMENTS OF THE LAW OR MISUSE OF CHILD LABOR WOULD BE HEAVILY PUNISHED.

4. GENERAL REGULATIONS CONCERNING OCCUPATIONAL SAFETY AND HEALTH ARE ALSO PROVIDED BY LABOR LAW NO 1475. THESE ARE SUPPLEMENTED BY DECREES OF THE COUNCIL OF MINISTERS IDENTIFYING CATEGORIES OF HEAVY AND DANGEROUS WORK, INCLUDING AREAS WHERE EXPOSURE TO TOXIC SUBSTANCES MIGHT OCCUR. INSPECTORS ARE REQUIRED TO ENFORCE PERIODIC HEALTH EXAMINATIONS AND TO EXCLUDE FROM SUCH EMPLOYMENT CHILDREN 16 YEARS OLD AND YOUNGER AND WOMEN, UNLESS THEY HAVE GRADUATED FROM PROFESSIONAL OR SPECIALIZED SCHOOLS PREPARING THEM FOR THE WORK IN QUESTION.

5. DIFFERENTIAL LABOR STANDARDS HAVING EFFECT ON EXTERNAL TRADE DO NOT EXIST IN TURKISH INDUSTRY IN SO FAR AS CAN BE ASCERTAINED. UNIONS MAY BE ORGANIZED FREELY IN ALL INDUSTRIAL SECTORS, AND FREE COLLECTIVE BARGAINING IS FULLY CONFIDENTIAL

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SUPPORTED BY THE GOVERNMENT. IN FACT, THE LARGE INCREASES IN WAGES AND BENEFITS GAINED BY UNIONS IN RECENT COLLECTIVE BARGAINING AGREEMENTS HAVE CONTRIBUTED TOWARD REDUCING TURKEY'S COMPETITIVENESS IN EXPORT AND IMPORT SUBSTITUTION INDUSTRIES.
SPIERS

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